

WASHINGTON STATE DEPARTMENT OF HEALTH OCCUPATIONAL THERAPY PRACTICE BOARD PUBLIC MEETING MINUTES

April 25, 2006
9:00 AM

Department of Health, Point Plaza East, 310 Israel Rd SE, Room 153,
Tumwater, WA

On April 25, 2006, the Occupational Therapy Practice Board met at the Department of Health, Point Plaza East, Room 153, 310 Israel Rd SE, Tumwater, WA. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

MEMBERS PRESENT

MARK LEHNER, OT, CHAIR
D. JILL PETRIE, COTA, VICE CHAIR
CATHERINE WHITING, OT
WENDY HOLMES, OT

STAFF PRESENT

VICKI BROWN, PROGRAM MANAGER
JENNIFER BRESSI, PROGRAM MANAGER
JOSHUA SHIPE, DISCIPLINARY MANAGER
DORI JAFFE, AAG ADVISOR
PETER HARRIS, STAFF ATTORNEY
JOY KING, EXECUTIVE DIRECTOR

MEMBERS ABSENT

JOHN BORAH, PUBLIC MEMBER

GUESTS

TAMI THOMPSON, RULES AND POLICY COORDINATOR
KRISTIN REICHL, RULES COORDINATOR

Tuesday April 25, 2006 – 9:00 AM – OPEN SESSION

1. CALL TO ORDER

- 1.1 Approval of Agenda – Agenda was approved with the following changes:
Item #2 will be moved to after item #8 and the addition of rescheduling the next meeting.
- 1.2 January 13, 2006 meeting minutes were approved with minor corrections to items #5 and #6.

- 2. **BUSINESS PLAN 2005-2007** – The Board reviewed and discussed the 2005-2007 board business plan. They determined that Secretary Selecky's four patient

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safety priorities are accounted for in the plan. The Board approved the business plan as presented.

3. PROGRAM REPORT – Information provided to the Board by the Program Manager.

- 3.1 Legislative Update – no legislation to discuss
- 3.2 Budget Update – The board was provided January and February 2006 interim operating reports. Ms. King advised the Board she has been working on budget projections for the upcoming fiscal year.
- 3.3 Organizational changes – Ms. Bressi has accepted a new position within HSQA and her last day in her current position is May 5, 2006. A new support staff position has been hired, Sandra Pearson will begin on May 4, 2006. Ms. King is preparing to hire for Ms. Bressi's position.
- 3.4 Other – NBCOT announced their annual conference to be held in Washington D.C. on September 30, 2006. The board identified the need to continue attending this conference and Jill Petrie has agreed to attend this years conference. Staff will prepare a budget estimate for travel to Washington D.C. for the Board's final decision to attend the conference.

4. CORRESPONDENCE – The Board reviewed and discuss the following recent correspondences:

- 4.1 An email question regarding Assistive Augmentative Communication devices was received on February 22, 2006. A response will be drafted by staff with AAG review and final approval by Ms. Whiting.
- 4.2 An email question regarding Telehealth was received on March 10, 2006. A response will be drafted by staff indicating that the Board has not taken a position but the American Occupational Therapy Association (AOTA) has issued a position on Telehealth. AAG will review draft with final approval by Ms. Holmes.
- 4.3 An email from AOTA was received on January 30, 2006 regarding AOTA's self paced clinical courses and the use of the term "interactive". Ms. Holmes remembers a couple questions asked during the rules hearing for the continuing education rule. She would like to address those questions. Staff will review the rules hearing from October 2005 to address any questions that may have been raised by attendees. Staff will draft a response to AOTA indicating that if course falls within the listed approved activities, the course is OK. Mr. Lehner will provide final approval for response.

5. WASHINGTON OCCUPATIONAL THERAPY ASSOCIATION (WOTA) – The Board will hold a board meeting at the next WOTA conference on October 6th or 7th, 2006 in Portland, OR. Staff will contact WOTA to determine which day the luncheon is on and whether or not WOTA would like the Board to present at the luncheon. The Board meeting will be held in conjunction with that date.

6. **POLICIES** – The Board rescinded/deleted the following policies: 2.3 Continuing Education, 3.2 Sexual Misconduct, and 3.8 Moving Cases from Assessment to Investigative Phase. Recently adopted rules eliminate the need for these policies.
7. **OTHER OPEN SESSION BUSINESS** –The board would like staff to bring prior minutes to board meetings so historical information can be reviewed if needed.

There is some conflict with the June 23rd meeting date and the Board agreed to move the meeting to June 26th. The meeting will be held in Spokane and Ms. Holmes will check to see if the university has a meeting room available for use.

8. **RULES** – Tami Thompson and Kristin Reichl with the HPQA Policy & Rules Office indicated that the rules office now has a full staff and have been able to provide a more quality review of rules. When the OT definition rule package was received in their office they determined that the rule language was very well written but that definitions and supervision standards were in one WAC. Current rules include supervision standards in the definitions but standards should be separated. Definitions section should be strictly definitions and not standards. When the original CR 101 was filed the intent was to rescind old definitions and update definitions. The proposed language changes standards and the CR 101 does not allow for this. Ms. Thompson advised the Board to close the currently CR 101, re-file a new CR 101 to include the intent of creating a new section for standards as well as updating definitions. Propose language should separate definitions and standards. The Board agreed to this and staff will proceed with appropriate filings.

A list of rules the Board previously identified as rules they would like to amend was provided. The Board prioritized these rules and would like CR101's filed on the following rules:

WAC 246-847-030 – Occupational Therapist acting in a consulting capacity
WAC 246-847-055 – Initial application for individuals who have not practiced within the past four years
WAC 246-847-XXX – Renewal for those who haven't practiced in four years
WAC 246-847-068 – Expired license
WAC 246-847-070 – Inactive credential
WAC 246-847-125 – Applicants currently licensed in other states or territories
WAC 246-847-020 – Persons exempt from the definition of an occupational therapy aide – REPEAL – this definition is being moved to 246-847-010
WAC 246-847-130 – Definition of commonly accepted standards for the profession – REPEAL- this definition is being moved to 246-847-010.

The Board will wait to pursue the following rules:

WAC 246-847-110 – Persons exempt from licensure pursuant to RCW 18.59-040(5)
WAC 246-847-180 – Mandatory Reporting

WAC 246-847-160 – Unprofessional conduct or gross incompetency – housekeeping only

WAC 246-847-350 – Terms used in WAC 246-847-340 through WAC 246-847-370 – housekeeping only

WAC 246-847-080, 246-847-115, and 246-847-120 are all in the process of significant legislative analysis and small business economic impact statements. Once these are completed the rule packages will be submitted to HPQA rules office for review and scheduling of a rules hearing date.

11:30 p.m. - CLOSED SESSION

11. REVIEW OF APPLICATIONS

Applicant A – Approved

Re-entry applicant – Approved

12. DISCIPLINARY CASE REVIEWS

Case 2004-12-0001OT – To Legal - Issue Statement of Charges

Case 2005-02-0001OT – Closed - CNAX - unique closure

Case 2005-12-0001OT – Closed - CNAX - unique closure

Case 2005-07-0001OT – Closed - CNAC - evidence does not support a violation

Case 2006-01-0001OC – Closed - CNAD - insufficient evidence

Case 2006-02-0001OC – Closed - CNAD - insufficient evidence

Case 2006-02-0002OC – Closed - CNAD - insufficient evidence

Case 2006-02-0003OC – Closed - CNAD - insufficient evidence

Mr. Shipe advised the Board that he has a case summary form that may be of assistance to them when reviewing a case. The Board liked the idea of a form and Mr. Shipe will send the form to them for use in future case reviews.

12:45 p.m. – OPEN SESSION

- 13. ADJOURNMENT** – The Board adjourned at 12:50 p.m. with the next meeting re-scheduled for June 26, 2006 in Spokane.

Respectfully submitted:

Approved:

Vicki Brown
Program Manager

Mark Lehner, OT, Chair
Occupational Therapy Practice Board